

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN R. DURSO, MONICA CAVOUNIS, MURRAY
J. MORRISSEY, JEFFREY LAUB, and FRED
WREN, as Trustees and Fiduciaries of
the LOCAL 338 HEALTH AND WELFARE FUND,

and

JOHN R. DURSO, DEBRA SERVIDO, ARTHUR
CARAWAY, JEFFREY LAUB, MURRAY J.
MORRISSEY, JON GREENFIELD, JOHN
CATSIMATIDES, SAMUEL PELTZ, and SAL
BONAVITA, as Trustees and Fiduciaries
of the LOCAL 338 RETIREMENT FUND,

and

JOHN R. DURSO, MURRAY J. MORRISSEY,
JEFFREY LAUB, JON GREENFIELD, SAMUEL
PELTZ, and SAL BONAVITA, as Trustees
and Fiduciaries of the LOCAL 338
BENEFITS TRUST FUND,

Plaintiffs,

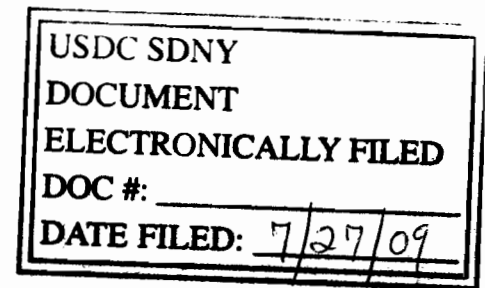
-v-

PARSONS FOOD CORP., 2541 FOOD CORP.,
2497 FOOD CORP., 869 J MEAT CORP., 592
LENOX FOOD CORP., 24 WEST MEAT &
PRODUCE CORP., ARCON CORP., M&M
MANAGEMENT LLC, 2497 REALTY CORP., and
2497 SUPERMARKET CORP.,

Defendants.
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09 CIV. 1010 (DLC)

PRETRIAL
SCHEDULING ORDER



DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on July 24, 2009, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties shall comply with their Rule 26(a)(1), Fed.R.Civ.P., initial disclosure obligations by **August 7, 2009**.

2. The parties are instructed to contact the chambers of Magistrate Judge Katz prior to **September 4, 2009** in order to pursue settlement discussions under his supervision.
3. No additional parties may be joined or pleadings amended after **September 26, 2009**.
4. All discovery must be completed by **April 30, 2010**.
5. The Joint Pretrial Order must be filed by **May 21, 2010**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter.

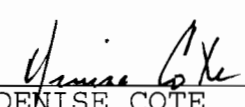
All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

Counsel will provide the Court with two (2) courtesy copy of all these documents at the time they are served, as well as one set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labelled with the exhibit numbers and placed in a suitable container or box for ready reference.

Dated: New York, New York
July 24, 2009



DENISE COTE
United States District Judge